

Before the
Federal Communications Commission
Washington, D.C. 20554

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In the Matter of)

Review of the Commission's)
Rules Governing the Low Power)
Television Service)

MM Docket No. 93-114
RM-7772

COMMENTS IN SUPPORT OF NOTICE OF PROPOSED RULEMAKING

It may also reduce confusion caused to viewers who are accustomed to identifying television stations by four-letter call signs."

3. The Commission then proposes to add the suffix "-LP" to every LPTV call sign. This is simply ludicrous. By requiring the "-LP" suffix on LPTV call letters, the Commission would only further increase the competitive disadvantage of LPTV stations.

If this is the best the Commission can do, it should just leave

6. The Commission can take this opportunity to solidify the secondary status of LPTV stations by further defining a "may carry" status for LPTV stations as it pertains to the rights of cable television stations to carry them.

7. The Cable Television Consumer Protection and Competition Act of 1992 ("1992 Act") clearly limited the scope of must carry as it pertains to LPTV. It is quite clear that it is the intention of Congress that must carry and retransmission consent should not pertain to LPTV stations and did not include LPTV stations in those stations that must be carried on those channels dedicated to carry local commercial television stations.

8. As a clearly defined secondary broadcast television service, however, it should be to the benefit of the public, the broadcast industry and the cable industry as well as satisfy the intention of the Congress of the United States, for the Commission take this opportunity to specifically define the secondary status of LPTV as it pertains to must carry and retransmission consent.

9. As such, an LPTV licensee should not be able to deny a cable operator the right to retransmit the signal of that LPTV station. Such a denial would be antithetical to the promotion of competitive outlets of programming services now embraced by the Commission.

10. Conversely, in the event that a cable operator does not fill its quota of channels with local commercial television stations or qualified LPTV stations, it should be permitted to utilize any local LPTV stations to fill, on a secondary basis,

the quota of channels currently allocated to local commercial television stations or qualified LPTV stations.

11. If a cable system has more channels available for carriage of local commercial television stations than signals it can actually receive of local commercial television stations, then the cable system should then, on a secondary basis, be required to carry local LPTV stations. For example, if a cable system has a 45 channels activated, it must carry the signals of up to 15 local television stations and qualified LPTV stations. If there are not 15 such stations in the market, however, the cable system should be required to fulfill the public interest by carrying LPTV stations on these channels.

12. If there are 15 channels in the market, but some opt for retransmission consent and such consent is not acquired by the cable system, then, on a secondary basis, the cable system should be required to fulfill the public interest by carrying LPTV stations on these channels.

13. The Commission should clearly define the secondary status of unqualified LPTV stations as "must carry" on cable systems by limiting the obligation of cable systems to carry such unqualified LPTV stations on cable channels dedicated to local commercial broadcast stations and qualified LPTV stations to only those channels not filled by local commercial broadcast stations and qualified LPTV stations.

THEREFORE, Ventech on behalf of itself and Atrium, NCBC, Channel 29, and Assal respectfully submit these comments

in support of the Notice proposing modification of the
Commission's rules governing the Low Power Television service.

Respectfully submitted,

VENTURE TECHNOLOGIES GROUP

By


Garry Spire, Esq.

Its General Counsel

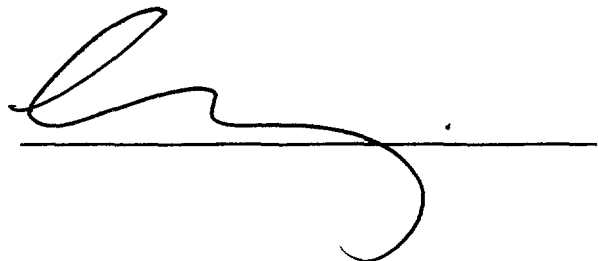
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16 June 1993

CERTIFICATE OF SERVICE

I, Lawrence Rogow, hereby certify that on this 16th day of June, 1993, I caused an original and nine copies of the foregoing Comments in Support of Petition for Rulemaking to be served by United States Postal Service, first-class, postage prepaid, to:

Office of the Secretary
Federal Communications Commission
1919 M Street, NW
Room 222
Washington, DC 20554

A handwritten signature in black ink, consisting of a large, stylized 'L' followed by a horizontal line and a long, sweeping flourish that extends to the right and then curves back down.